



Serial No.: 10/045,094

Docket No.: 826.1034c2d2d2d

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Shoji Hayashida

Confirmation No. 3711

Serial No. 10/045,094

Group Art Unit: 2876

Filed: August 3, 1998

Examiner: AHSHIK KIM

For: ELECTRONIC CASHLESS SYSTEM

LETTER TO THE EXAMINER

REGARDING CONSIDERATION AND ACKNOWLEDGMENT OF PREVIOUSLY SUBMITTED

INFORMATION DISCLOSURE STATEMENT

FILED JUNE 6, 2003 BEFORE PAYMENT OF THE ISSUE FEE

Mail Stop: ISSUE FEE

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

This is in response to the Office Communication mailed January 13, 2004, in which the Examiner crossed out the IDS citation in ATTACHMENT 1(g), signed the IDS ATTACHMENT 1(g) and asserted that the IDS citation was not considered, and a summary of the telephonic interviews with the Supervisory Examiner, Mr. MICHAEL GUNYOUNG LEE, on January 29, 2004 and February 3, 2004. The Supervisor asserted that the citation in the IDS filed June 6, 2003 was looked at, considered, but deemed not relevant to the claim language of the above-identified allowed US patent application, and thus, the Examiner crossed out the IDS citation and the IDS citation will not be published on the issued patent and only placed in the file wrapper. Therefore, it is understood that the Examiner considered the IDS filed June 6, 2003, but the Examiner crossed out the IDS citation and did not initial the IDS citation, such that the IDS citation will not be published on the issued patent, because the IDS citation was not relevant to the claim language of the present application.


However, there is no MPEP support for such IDS consideration but crossing out of the IDS citation. Therefore, pursuant to the previous Letter to the Examiner filed August 8, 2003, it is respectfully requested again that the Examiner consider and expressly acknowledge the Information Disclosure Statement, including ATTACHMENT 1(g), filed on June 6, 2003, without crossing out the IDS citation by initialing the citation and signing the IDS, ATTACHMENT 1(g),

so that the IDS citation will be published on the issued patent. The IDS was filed June 6, 2003 prior to issuance of an After Final Office Action or a Notice of Allowance, and the IDS conformed to 37 CFR 1.98 and 1.97(c), (e)(1). It is understood that the USPTO must consider the June 6, 2003 IDS pursuant to 37 CFR 1.98 and 1.97(c), (e)(1) and MPEP 609, and therefore the Examiner should also initial the document citation in the IDS ATTACHMENT 1(g) and sign the IDS ATTACHMENT 1(g) so that the IDS citation will be published on the issued patent. Therefore, it is respectfully requested again that the Examiner consider and expressly acknowledge the IDS filed June 6, 2003 without crossing out the IDS citation by initialing the IDS citation and signing the IDS ATTACHMENT 1(g).

If there are any additional fees associated with filing of this communication, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Date: 2/4/2004

By: 
Mehdi Sheikerz
Registration No. 41,307

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
(202) 434-1500